



Security Council

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Letter dated 13 March 2014 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007), 1845 (2008), 1895 (2009), 1948 (2010), 2019 (2011), 2074 (2012) and 2123 (2013), I have the honour to convey the attached letter dated 27 February 2014, from Ms. Catherine Ashton, High Representative of the European Union for Foreign Affairs and Security Policy, transmitting the thirty-sixth report on the activities of the European Union military operation in Bosnia and Herzegovina (see annex). The report covers the period from 1 September to 30 November 2013.

I should be grateful if you would bring the report to the attention of the members of the Security Council.

(Signed) **BAN Ki-moon**

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Annex

**Letter dated 27 February 2014 from the High Representative of
the European Union for Foreign Affairs and Security Policy
addressed to the Secretary-General**

[Original: English]

In accordance with Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007), 1845 (2008), 1895 (2009), 1948 (2010), 2019 (2011), 2074 (2012) and 2123 (2013), please find enclosed the thirty-sixth three-monthly report on Operation Althea to the Security Council.

(Signed) Catherine Ashton

Enclosure**Report of the High Representative of the European Union for Foreign Affairs and Security Policy on the activities of the European Union military mission in Bosnia and Herzegovina****I. Introduction**

1. The present report covers the period from 1 September to 30 November 2013.
2. In its resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007), 1845 (2008), 1895 (2009), 1948 (2010), 2019 (2011), 2074 (2012) and 2123 (2013), the Security Council requested that Member States, acting through or in cooperation with the European Union, report to the Council on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR) at least at three-monthly intervals. This is the thirty-sixth such report.

II. Political background

3. The reporting period was marked by the early positioning of the political parties in view of the 2014 general election. That led to a further political polarization both within and among the three constituent peoples. The political parties were unable to overcome the lasting political stalemate in the country, which had a negative impact on the implementation of the necessary reforms.
4. Despite strong and still ongoing facilitation efforts led by the European Union, the political parties failed to compromise on the implementation of the Sejdić and Finci ruling of the European Court of Human Rights. The setting up of an effective European Union coordination mechanism and the adaptation of the Stabilisation and Association Agreement/Interim Agreement protocol following Croatia's accession remain outstanding.
5. No tangible progress was registered in fulfilling the condition for the activation of the North Atlantic Treaty Organization (NATO) membership action plan. After a previous draft law on registration of immovable defence property as State property was rejected by the Serb parties in the House of Representatives, the Social Democratic Party (SDP) and the Alliance of Independent Social Democrats (SNSD) proposed a new draft on the entire State property. Efforts to amend the draft and harmonize it with the Constitutional Court decision regarding State property are carried out at the level of a ministerial Working Group within the Council of Ministers.
6. The enumeration phase of the first Census of Population and Households since 1991 was overall conducted smoothly in the first half of October.
7. The issue of discrimination/segregation along ethnic lines in education became the subject of first-hand political debates following the boycott of schools in the Republika Srpska by a group of parents of Bosniak-ethnic pupils mainly from Konjevic Polje. Invoking the Interim Agreement on Accommodation of Specific Needs and Rights of Returnee Children, signed by the Entities' Ministers of Education in March 2002 for a duration of two years, the parents requested the school to follow the Bosniak curriculum and increase Bosniak-ethnic representation

in the school board. On 24 November, the parents and the Republika Srpska Minister of Education concluded an agreement "in principle", following mediation efforts led by the Organization for Security and Cooperation in Europe (OSCE), which is still at risk pending a written formalization. A very limited number of children (7) have so far returned to classes.

8. Following the European Court for Human Rights' ruling in the Maktouf and Damjanović case in July 2013, the Constitutional Court of Bosnia and Herzegovina quashed the second instance verdicts and ordered urgent retrial by the Court of Bosnia and Herzegovina of 11 convicted persons serving long-term sentences for genocide or war crimes against civilians. The decision of the Court of Bosnia and Herzegovina to release the 11 following lack of statutory ground to continue custody raised serious concerns and undermined the status and credibility of the State judicial institutions of Bosnia and Herzegovina. The European Union is closely monitoring the issue in cooperation with the United States of America, OSCE, the Office of the High Representative and the Council of Europe and supports the efforts of relevant Bosnia and Herzegovina authorities in guaranteeing swift retrials. These developments, however, may lead to an increased number of attacks on the State-level judiciary. Continued engagement in the Structured Dialogue on Judiciary therefore remains key. As shown during its sixth session on 11 and 12 November in Banja Luka, Bosnia and Herzegovina judicial stakeholders recognized that, despite political controversies, the Dialogue is the only platform allowing for a broad exchange of views and for opportunities to improve relations and cooperation among the Bosnia and Herzegovina judicial practitioners at the highest level.

9. The timely adoption of the budgets for 2014 would ensure fiscal sustainability and open the way for the fifth review of the International Monetary Fund Stand-By Agreement for Bosnia and Herzegovina.

10. The comprehensive approach, promoted by the reinforced European Union presence on the ground and the continued close cooperation between the European Union Special Representative and Operation Althea, consolidated and strengthened the Union's engagement in Bosnia and Herzegovina. The European Union and European Union-related issues dominated the political and public agenda.

III. Security situation and EUFOR activities

11. The overall security situation in Bosnia and Herzegovina remained calm and stable throughout the reporting period. Inflammatory nationalistic rhetoric continued; however, the safe and secure environment was not threatened.

12. On 19 November, 10 formerly convicted war criminals were released from various detention units in Bosnia and Herzegovina following the ruling of the European Union Court of Human Rights. EUFOR continues to monitor this release, and possible future releases. In particular, EUFOR looked for indicators that might suggest any possible change or cause for concern with regard to the overall security outlook. No such indicators are currently evident on this.

13. Operation Althea continued its main effort in capacity-building and training while retaining the means to contribute to the deterrence capacity of the Bosnia and Herzegovina authorities. EUFOR conducted Operational Rehearsal Quick Response 2 from 2 to 13 September. Intermediate Reserve companies from Austria and

Slovakia participated. The aim of the exercise was to rehearse their integration into the EUFOR MultiNational Battalion and to practise likely peace support operations tasks. In addition, Quick Response 2 was also focused on combined training with the Armed Forces of Bosnia and Herzegovina, including the incorporation of staff officers during the planning phases, and on enhanced cooperation with Bosnia and Herzegovina law enforcement agencies.

14. The shared European Union/NATO over-the-horizon reserve force capability was limited to one battalion. The Italian operational reserve Force battalion was available to EUFOR from 1 July 2013 for the following six months. The intermediate reserve was fully resourced throughout the period.

15. In support of OSCE, EUFOR continued to monitor and advise Bosnia and Herzegovina authorities within activities related to ammunition and weapons storage sites, the civilian and military movement of weapons and military equipment, the disposal of surplus weapons and ammunition and defence industry factories. EUFOR also worked with international partners to try and increase the disposal rate of surplus ammunition. Progress was registered in the work of the Ministry of Defence to take full control over the military stockpiles of ammunition and weapons. On 8 October, the Minister of Defence of Bosnia and Herzegovina, Zakerijah Osmic, hosted the second meeting of the Strategic Committee on Ammunition and Weapons in the presence of the Althea Operation Commander. The meeting validated the operating structures necessary to implement the strategic decisions, including personnel and key tasks related to management of stockpiles of ammunitions and weapons.

16. The progress made by the Armed Forces of Bosnia and Herzegovina in taking control of and managing the ammunition, weapons and explosives surplus was encouraging. Ammunition disposal up to 29 October totalled 917 tons for the year, and thus indicates a monthly average disposal weight of 91.7 metric tons compared to the previous figure of 60 metric tons; there were no disposals of surplus weapons. It appears that the planned target of 1,350 metric tons of ammunition for disposal will not be met; however, it is of note that, the machinery required for disposal was maintained during the reporting period in order to ensure that it is suitable for the task ahead, to improve reliability and to increase disposal capacity, which should therefore further increase the rate of disposal in the future. At current rates, the projected 2013 total amount remains approximately 1,100 metric tons when allowing for bad weather.

17. On 12 November 2013, the Security Council adopted resolution 2123 (2013), thereby extending the executive mandate for another year.

IV. Outlook

18. The security situation is expected to remain calm and stable. The elections in 2014 as well as the further handling of the result of the census deserve careful attention, against the backdrop of a fragile socioeconomic situation. The politicians have, in effect, already started campaigning for the elections with increasing rhetoric.